

IN THE DISTRICT COURT OF APPEAL
FIRST DISTRICT, STATE OF FLORIDA

LOCKHART BUILDERS, INC. ,

Appellant,

v.

NOT FINAL UNTIL TIME EXPIRES TO
FILE MOTION FOR REHEARING AND
DISPOSITION THEREOF IF FILED

CASE NO. 1D08-3468

DEPARTMENT OF
FINANCIAL SERVICES,
DIVISION OF WORKERS'
COMPENSATION,

Appellee.

Opinion filed July 16, 2009.

An appeal from the Division of Administrative Hearings, Department of Financial Services, Division of Workers' Compensation.

Bill McCabe, Longwood, and Keith A. Mann, Sarasota, for Appellant.

Colin M. Roopnarine, Department of Financial Services, Division of Workers' Compensation, Tallahassee, for Appellee.

BARFIELD, J.

The final order of the Department of Financial Services (DFS), which rejected the recommended order of the Administrative Law Judge and approved

the penalty assessed by its Division of Workers' Compensation for appellant's noncompliance with the statutory requirement that it secure workers' compensation coverage for three employees of one of its subcontractors, is AFFIRMED. See Twin City Roofing Const. Specialists, Inc. v. Fla. Dep't of Fin. Servs., 969 So. 2d 563 (Fla. 1st DCA 2007). However, the case is REMANDED to DFS for correction of the final order to reflect that appellant is released from the stop-work order, conditioned upon its timely payment of the penalty in the agreed upon installments.

PADOVANO and WEBSTER, JJ., CONCUR.